

**SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

Case No. 9:24-cv-80395-KMM

GREENFLIGHT VENTURE
CORPORATION & JEFFREY
D. ISAACS, MD,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

**DEFENDANT GOOGLE’S OPPOSITION TO
GREENFLIGHT’S MOTION TO CONFORM**

Defendant Google respectfully submits this opposition to Plaintiff Greenflight Venture Corporation’s “Motion to Conform Rule 59 Relief from Judgment” (DE 74).

Greenflight’s “Motion to Conform” is procedurally defective. It is in all but title a second motion for reconsideration by Greenflight,¹ and is untimely under Rule 59(e) because it was filed more than 28 days after the judgment against Greenflight became final. *See* Fed. R. Civ. Pro. 59(e). Judgment became final, at the latest, on July 7, 2025—150 days after the February 4, 2025 Order dismissing Greenflight’s claims. *See* DE 65; Fed. R. Civ. Pro. 58(c)(2)(B). Twenty-eight days after July 7, 2025 was August 4, 2025, while Greenflight’s

¹ *See* DE 66 (initial Greenflight Motion for Reconsideration, Feb. 5, 2025); DE 67 (Order Denying Greenflight Motion for Reconsideration, Feb. 10, 2025).

motion was filed on Sunday, August 31, 2025.² The time limits in Rule 59(e) cannot be altered by the Court. *See Banister v. Davis*, 590 U.S. 504, 507–08 (2020); Fed. R. Civ. P. 6(b)(2). Notably, Greenflight cites no authority for the proposition that it can avoid this mandatory deadline by joining another party’s motion.

Google will not burden the Court with a further discussion of the merits. If the Court were to consider the arguments in Greenflight’s untimely motion, Google respectfully refers the Court to the discussion of the Rule 59(e) standard and the inability of Plaintiffs to meet it in Google’s opposition brief filed August 25, 2025. DE 73.

Date: September 8, 2025

Respectfully submitted,

Kenneth C. Smurzynski (*pro hac vice*)
Aaron P. Maurer (*pro hac vice*)
WILLIAMS & CONNOLLY LLP
680 Maine Avenue, SW
Washington, DC 20024
+1 (202) 434-5000
ksmurzynski@wc.com
amaurer@wc.com

Matthew S. Warren (*pro hac vice*)
Erika H. Warren (*pro hac vice*)
Madeline A. Woodall (*pro hac vice*)
WARREN KASH WARREN LLP
2261 Market Street, No. 606
San Francisco, California, 94114
+1 (415) 895-2940
+1 (415) 895-2964 facsimile
24-80395@cases.warrenlex.com

/s/ Edward M Mullins
Edward M. Mullins (Florida Bar No. 863920)
Ana M. Barton (Florida Bar No. 85721)
Sujey S. Herrera (Florida Bar No. 92445)
REED SMITH LLP
200 South Biscayne Boulevard, Suite 2600
Miami, Florida, 33131
+1 (786) 747-0200
+1 (786) 747-0299 facsimile
emullins@reedsmith.com
abarton@reedsmith.com
sherrera@reedsmith.com

Attorneys for Defendant Google LLC

² Even if one were to consider Isaacs’s Rule 59(e) Motion (filed on August 11, 2025) as operative for calculation of Greenflight’s Rule 59(e) deadline, Greenflight’s filing would remain untimely.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on September 8, 2025, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record. Also, by email to Jeffreydi@gmail.com.

Edward M Mullins

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